

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
Columbus Telephone Company)	
Petition for Wavier of Section 54.903(a))	Docket No. 96-45
of the Commission's Rules.)	

PETITION FOR WAIVER

Alexicon, Inc., on behalf of and as consultant and agent for Columbus Telephone Company ("Columbus"), requests waiver of Section 54.903(a) of the Commission's rules. Columbus seeks a waiver of the March 31, 2008, filing deadline required for information necessary for its receipt of Interstate Common Line Support (ICLS). Columbus submitted its ICLS filing through customary channels, intending its receipt by the Universal Service Administrative Company ("USAC"); the filing, however, was not forwarded to or received by USAC in a timely fashion. As described herein, a waiver of the filing deadline is respectfully requested.

I. Background

USAC requires each rate of return incumbent telecommunications carrier to provide information needed to calculate the Projected Annual Common Line Revenue Requirement for each of its study areas in the upcoming funding year. This information must be submitted on March 31st of each year, in order for the carrier to be eligible to receive Interstate Common Line Support. Columbus is a rural incumbent local exchange carrier ("ILEC") which serves one local exchange (Columbus) in rural Kansas. As of October 2008, Columbus served 2054 access lines in its study area (Study Area Code 411756).

Columbus was designated as an ETC by the Kansas Corporation Commission by order issued December 5, 1997 in that state commission's Docket No. 98-GIMT-241-GIT. Columbus

has regularly submitted ICLS data and other federal High Cost Support forms and reports in timely fashion since these filing requirements were established during the implementation of the Telecommunications Act of 1996. Columbus has never previously missed a federal universal service filing deadline, or had a federal universal service filing returned as defective or incomplete. Due to the circumstances described below, Columbus's submission of the 2008/2009 ICLS data did not reach USAC in time to comply with the requirements of FCC Rule 54.903(a).

On March 31, 2008, Columbus sent its ICLS data filing and Certification via facsimile to the National Exchange Carrier Association's (NECA) regional St. Louis office. Verbal confirmation of receipt of the filing was received from NECA along with assurances that the filing would be forwarded to USAC. However, without Columbus's knowledge, Columbus's filing was not forwarded by NECA to USAC as Columbus reasonably expected.

It was not until the 3rd Quarter 2008 ICLS state by state projection was received, that Columbus had reason to know it would not receive ICLS for the remainder of 2008 and half of 2009. Before that time Columbus had not been informed by any USAC representative that the Columbus 2008 ICLS data had not been received. Upon receipt of the 3rd Quarter projection Alexicon, on behalf of Columbus, immediately contacted USAC and learned that the ICLS filing had not been forwarded from NECA to USAC and that Columbus – as a result of this inadvertent failure of NECA to follow its prior practices – would not receive 2008 ICLS revenue absent the Commission grant of the waiver of Section 54.903(a) hereby requested.

Columbus also notes that during this time it was undergoing a change in consulting firms. In the midst of the transfer of duties from Columbus's previous consulting firm to Alexicon, the Columbus ICLS filing was made on the last day permitted. In order to assure that all federal

universal service filing requirements are made hereafter in a timely manner, Columbus has implemented a filing calendar with required email updates for Alexicon.

Columbus's previous spotless record of compliance with USAC reporting obligations should be considered in the FCC's assessment of this waiver request. Columbus has never previously missed a USAC deadline. Grant of the waiver request can easily be accommodated by USAC, without burden to any other carrier, within the existing universal service process. In addition, a true up process is readily available and can readily be used to correct projected data from ETCs to reflect a carrier's actual ICLS amounts at any relevant later point in time. Columbus's ICLS disbursement, upon expedited action by the Commission, can be included and trued-up through the already established process.

II. Adverse Impacts upon Universal Service Goals

The loss by Columbus of approximately \$82,000 in appropriate and anticipated ICLS for 2008/2009 will be particularly onerous and disruptive, because the company will have no offsetting reductions in its 2008/2009 Common Line expenses and no ready source for replacement revenue. The purpose of the ICLS universal service program is to provide cost recovery to small LECs for the costs of their common line investment and expenses. As such, ICLS has been a substantial portion of Columbus's recovery of its common line costs for many years. The continued availability of ICLS ensures that companies are not required to recover these relatively higher costs through intrastate, basic rates. Columbus's receipt of ICLS thereby avoids potentially higher basic rates that would be contrary to the established universal service principles of affordability and comparability. In the absence of a waiver Columbus would have no choice but to offset such a substantial revenue loss by significantly decreasing its investment outlays and/or to suffer reductions in service quality. Such consequences would have an adverse

impact upon Columbus's ability to provide quality services to its rural customers at affordable rates reasonably comparable to those in urban areas in accordance with the Commission's universal service goals.

III. Request for Expedited Action

Unless and until the Commission grants Columbus's waiver request, Columbus will be deprived of its reasonable and appropriate 2008/2009 ICLS cost recovery revenues. This support is needed and used by Columbus to support its ongoing costs and capital investments to upgrade its network and to provide high quality, reliable basic and advanced services. Columbus requests expedited action by the Commission so that USAC can be properly notified as soon as is practical, so future settlements in turn will reflect accurate ICLS cost recovery.

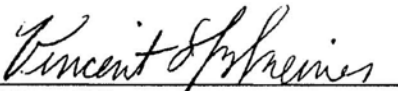
IV. Conclusion

Columbus regrets that its 2008/2009 ICLS filing was not timely received by USAC. Columbus has taken effective steps to ensure this isolated, inadvertent oversight will not recur. For the reasons stated herein, Columbus submits that good cause has been shown for the grant of the requested waiver as set forth herein. Grant of the waiver will allow Columbus to receive ICLS disbursements for 2008/2009, enabling Columbus to meet the statutory goal of preserving and advancing universal service for the rural customers served by the company. This result will be consistent with the public interest, and denial of the requested waiver would be contrary to that interest. Expedited action is requested to minimize the time that Columbus will be prevented from receiving ICLS cost recovery support that it expected to receive. Without ICLS support, it will be the customers of Columbus that will be burdened with the likelihood of curtailed upgrades and/or the company's strained ability to provide reliable and consistent services. With the grant of this waiver, Columbus will merely receive the appropriate amount of ICLS that was

intended under established universal service plan policies, and the grant of the waiver will not adversely affect any other carrier or customer.

Respectfully Submitted,

COLUMBUS TELEPHONE COMPANY

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